



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,622	01/14/2005	Takeshi Hagio	59150-8030	2017
79975	7590	09/13/2010	EXAMINER	
King & Spalding LLP P.O. Box 889 Belmont, CA 94002-0889				FERNANDEZ, SUSAN EMILY
ART UNIT		PAPER NUMBER		
1651				
MAIL DATE		DELIVERY MODE		
09/13/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ATTACHMENT TO ADVISORY ACTION

The response filed August 9, 2010, has been received. The text of those sections of Title 35, U.S. Code, not included in this action can be found in a prior office action.

The amendment filed August 9, 2010, has not been entered since the new language in the proposed amendment requires consultation of the specification to confirm support for the new language. Specifically, the recitation of "immersing a seed containing the cell in water so as to allow the seed to absorb water" requires consultation of the specification. Moreover, the proposed amendment would require a new search. Therefore, denial of entry of the proposed amendment is proper at this after-final stage of prosecution.

The entirety of the applicant's arguments assumes entry of the non-entered amendment, and is thus directed to subject matter which is not presently entered into the claims. Therefore, the claims are rejected for the reasons of record.

No claims are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUSAN E. FERNANDEZ whose telephone number is (571)272-3444. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Wityshyn can be reached on (571) 272-0926. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Leon B Lankford/
Primary Examiner, Art Unit 1651

Susan E. Fernandez
Examiner
Art Unit 1651

sef